

## Message Text

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 6346

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

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E.O. 11652: N/A

TAGS: PINS, PINT, GW

SUBJECT: BUNDESTAG DEBATES RADICALISM IN AFTERMATH  
OF BAADER-MEINHOF TERRORISM

REF: BERLIN 2108 , BONN 17647

SUMMARY: GOVERNMENT AND OPPOSITION PARTIES HAVE TAKEN  
A UNITED STAND AGAINST "TERRORISTS AND EXTREMISTS"  
BUT CONTINUE TO DISAGREE ON ELIGIBILITY OF "RADICALS"  
FOR EMPLOYMENT IN THE CIVIL SERVICE. END SUMMARY.

1. THE FIRST READING IN THE BUNDESTAG NOVEMBER 15  
OF GOVERNMENT AND OPPOSITION BILLS CONCERNING THE  
EMPLOYMENT OF RADICALS IN THE CIVIL SERVICE TOOK PLACE  
IN AN ATMOSPHERE CHANGED BY THE DRENKMANN ASSASSINATION  
AND HEIGHTENED PUBLIC CONCERN ABOUT THE THREAT POSED  
TO FRG INTERNAL SECURITY BY THE BAADER-MEINHOF GROUP

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AND ITS SYMPATHIZERS. HOWEVER, DESPITE OPPOSITION

EFFORTS TO CAPITALIZE ON THIS SITUATION, FDP AND SPD SPOKESMEN DREW A LINE BETWEEN "TERRORISTS" AND "RADICALS," AND INDICATED NO INCLINATION TO MOVE TOWARD THE OPPOSITION'S POSITION ON THE QUESTION OF RADICALS IN THE PUBLIC SERVICE.

2. THE GOVERNMENT BILL, PRESENTED BY INTERIOR MINISTER MAIHOFFER, AND THE OPPOSITION (BUNDESRAT) BILL, SUBMITTED BY BADEN-WUERTTEMBERG INTERIOR MINISTER SCHIESS, DIFFER ESSENTIALLY ON THE CIVIL SERVICE ELIGIBILITY OF MEMBERS OF RADICAL--BUT NOT ILLEGAL--POLITICAL PARTIES SUCH AS THE DKP AND THE KPD. THE GOVERNMENT BILL PROVIDES THAT EACH CASE IS TO BE EXAMINED INDIVIDUALLY AND THAT THE BURDEN OF PROOF RESTS WITH THE GOVERNMENT. THE BILL PASSED BY THE BUNDESRAT (I.E., THE CDU/CSU) PROVIDES THAT MEMBERSHIP IN A PARTY OR ORGANIZATION OPPOSED TO THE CONSTITUTION, EVEN IF NOT DECLARED ILLEGAL, IS "AS A GENERAL RULE" SUFFICIENT GROUND FOR DOUBT AS TO A CANDIDATE'S ELIGIBILITY FOR CIVIL SERVICE EMPLOYMENT, WITH THE BURDEN OF PROOF RESTING ON THE INDIVIDUAL.

3. OPPOSITION LEADER CARSTENS NOT SURPRISINGLY TOOK THE OCCASION TO POINT TO THE DRECKMANN ASSASSINATION AND THE VIOLENT DEMONSTRATIONS IN BERLIN TO CHARGE THE GOVERNMENT ONCE AGAIN WITH SOFTNESS TOWARD LEFTIST RADICALISM, NAIVETE ABOUT THE DANGERS POSED TO THE FRG, AND A FOOLISH TOLERANCE TOWARD RADICALS IN ITS OWN RANKS--INCLUDING THE "COMMUNIST-FLIRTING" JUDDS AND JUSOS AND THE PROPONENTS OF LEFTIST EDUCATIONAL IDEAS IN HESSE. THERE CAN BE NO DOUBT, HE ASSERTED, THAT ANY DKP MEMBER OR SYMPATHIZER WANTS TO BRING GDR CONDITIONS TO THE FRG. FDP DEPUTY HIRSCH RESPONDED SHARPLY AND ANGRILY FOR THE GOVERNMENT, ACCUSING CARSTENS OF IRRESPONSIBLY LUMPING TOGETHER TERRORISTS AND EXTREMISTS ("WHOM WE ALL CONDEMN AND EXCLUDE FROM THE PUBLIC SERVICE") WITH THOSE WITH WHOM THE CDU DOES NOT AGREE. THE FRG IS, HE REMINDED CARSTENS, "A COUNTRY OF LAWS IN WHICH A SUSPECT IS NOT DECLARED A CRIMINAL UNTIL PROVED GUILTY."

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4. AT THIS POINT PROSPECTS FOR A COMPROMISE BETWEEN THE GOVERNMENT AND OPPOSITION BILLS IN THE BUNDESTAG ARE SLIM, WHICH WILL MAKE THE SUBSTANCE OF THE LEGISLATION--IF ANY--DEPENDENT ON THE OUTCOME OF NEGOTIATIONS IN THE JOINT CONFERENCE COMMITTEE.

5. IN THE MEANTIME, THE GOVERNMENT HAS VEHEMENTLY

CONDEMNED BAADER-MEINHOF ACTIVITIES AND CONFIRMED THAT THE THREATS TO INTERNAL SECURITY ARE SERIOUS, BUT AT THE SAME TIME HAS EXPRESSED CONFIDENCE THAT THE GOVERNMENT HAS THE SITUATION WELL IN HAND. ON NOVEMBER 13, INTERIOR MINISTER MAIHOFFER, IN THE MOST SHARPLY WORDED SPD-FDP GOVERNMENT STATEMENT TO DATE ON THIS SUBJECT, DECLARED THAT MANY WEST GERMANS STILL APPARENTLY DO NOT RECOGNIZE THE "BRUTAL STRATEGY" PURSUED BY THE

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BAADER-MEINHOF GROUP AND "THE ROLE PLAYED BY THEIR LAWYERS." ON THE SAME DAY THE CABINET ENDORSED A DECLARATION OF THE FEDERAL AND LAND MINISTERS OF JUSTICE POINTING WITH CONCERN TO "THE SYMPATHY CAMPAIGN BEING PURSUED ON BEHALF OF THIS CRIMINAL ORGANIZATION"--

A REFERENCE TO DEMONSTRATIONS IN BERLIN AND FRANKFURT AND STATEMENTS OF DANIEL COHN-BENDIT AND OTHER LEFT EXTREMISTS WHO--WHILE CLAIMING TO TAKE NO POSITION ON THE DRENKMANN ASSASSINATION AND BAADER-MEINHOF METHODS-- HAVE FOUND IN HOLGER MEINS ("A POLITICAL PRISONER MURDERED BY THE STATE") A MARTYR FOR THEIR CAUSE.

6. THERE HAS BEEN SOME CRITICAL COMMENT (MOST NOTABLY IN SPIEGEL AND DIE ZEIT) ASKING IF MEINS' DEATH COULD NOT HAVE BEEN PREVENTED, AND SOME PRESS ACCOUNTS LIMITED OFFICIAL USE

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CONTINUE TO INDICATE SOME DOUBT AS TO THE EXACT CAUSE OF DEATH. THE GOVERNMENT HAS LEFT NO DOUBT IN ITS PUBLIC STATEMENT, HOWEVER, THAT MEINS DIED OF STARVATION, AND HAS INITIATED LEGAL ACTION AGAINST THE DEFENDANT'S LAWYERS WHO HAVE ENCOURAGED THE HUNGER STRIKES AND ACTED AS COURIERS FOR THE BAADER-MEINHOF PRISONERS. IT IS ALSO CONSIDERING AMENDMENTS TO THE CRIMINAL LAW TO GIVE THE GOVERNMENT GREATER CONTROL OVER THE LAWYERS AND TO SPEED UP THE TRIALS OF THOSE ON HUNGER STRIKES. HOWEVER, THE GOVERNMENT HAS REJECTED CDU DEMANDS FOR GREATER RESTRICTIONS ON PUBLIC DEMONSTRATIONS, STATING THAT EXISTING LAW GIVES THE GOVERNMENT SUFFICIENT CONTROL.

7. ALTHOUGH JUSTICE MINISTER VOGEL CLAIMS THAT THE CORE OF THE BAADER-MEINHOF GROUP HAS BEEN DESTROYED (VOGEL SAID 17 HAVE BEEN SENTENCED, 12 ARE ON TRIAL, AND 35 ARE BEING HELD FOR INVESTIGATION.) THERE ARE SUCCESSOR GROUPS CENTERED IN FRANKFURT, BERLIN, AND HAMBURG. ALSO CAUSE FOR CONCERN IS THE FACT THAT OF THE 20 NOW IN PRISON IN BERLIN, NINE OR TEN ARE ON A HUNGER STRIKE.  
HILLENBRAND

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